

**REMARKS**

Claims 1-14 are pending in the present application. Claims 1 and 8 – 14 are currently amended.

**Rejections under 35 U.S.C. §101**

Claims 8-14 are rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter because the claims do not require hardware and are non-statutory subject matter as software per se. Applicants submit that, claims 8-15 are amended herein to include “computer means” which applicant submits includes hardware. Applicant respectfully submits that the rejections under 35 U.S.C. §101 are overcome by the present amendment. Reconsideration is respectfully requested.

**Rejections under 35 U.S.C. §102**

Claims 1-14 are rejected under 35 U.S.C. §102(b) as being anticipated by Pozzi et al. “Automatic Topology-Based Identification of Instruction-Set Extensions for Embedded Processors.”

Independent claim 1, as currently amended, which is representative of the other rejected claims recites:

A computerized method for determining a complex computer operation for a computer application, comprising the steps of:

- generating a data flow graph representing the computer application;
- generating a plurality of sub-graphs of said data flow graph, wherein each of said sub-graphs represents a basic block of said computer application;
- generating a tree of potential complex computer operations, wherein each of said potential complex computer operations represents one or more of said sub-graphs; and
- pruning the tree for optimality under constraints.

The Examiner indicated that “Pozzi discloses ... (a) traversing a tree of potential complex computer operations (page 2, first paragraph); and (b) pruning the tree for optimality under

constraints (page 5, right column, last paragraph to page 6). Contrary to the Examiner's characterization, Pozzi, page 2, sec 2, first paragraph, mentions only that a complex computer operation corresponds to a sub-graph of a Data Flow Graph representing a basic block of an application. Such a sub-graph corresponds to a complex computer operation. In the present specification, each node in the tree corresponds to a complex computer operation whereupon the tree represents the space of potential complex computer operations that is to be traversed in search of an optimal one. Applicant respectfully submits that nowhere in Pozzi is there any mention of a tree consisting of complex computer operations.

Furthermore, Pozzi's use of "prune" (page 5, right column, last paragraph to page 6) corresponds to pruning a sub-graph of a Data Flow Graph which corresponds to removing simple operations from a given complex operation thus reducing the number of operations it performs. In the present specification, pruning is applied to the tree of complex computer operations and corresponds to eliminating nodes of the tree in order to reduce the size of the search space that is to be traversed.

For at least these reasons, Applicant respectfully submits that claim 1 is patentable in view of Pozzi, and the rejections of claims 1 - 14 under 35 U.S.C. §102 should be withdrawn. Reconsideration is respectfully requested.

**CONCLUSION**

If any points remain an issue which the Examiner feels may be best resolved through a telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below. The Examiner is invited and encouraged to telephone the undersigned with any concerns in furtherance of the prosecution of the present application.

Please charge any deficiency as well as any other fee(s) which may become due at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 50-2896.

Respectfully submitted,

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Dated:

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